

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

ELIJAH SMITH	:	
Petitioner,	:	CRIMINAL ACTION
	:	NO. 04-411-1
v.	:	
	:	CIVIL ACTION
UNITED STATES OF AMERICA	:	NO. 16-2930
Respondent.	:	

ORDER

AND NOW, this 3rd day of August, 2018, it is hereby ORDERED as follows:

- (1) Petitioner's Motion to Dismiss (ECF No. 158) is DENIED as moot by reason of his subsequently-filed Motion to Correct Sentence Under 28 U.S.C. § 2255 (ECF No. 163); and,
- (2) **On or before August 24, 2018**, the government shall file a Response to Petitioner's Motion to Correct Sentence (ECF No. 163).

BY THE COURT:

/s/ C. Darnell Jones, II J.